

BOOKER T. WASHINGTON CENTER  
BOARD OF DIRECTORS  
January 2002 – December 2002

Name	Address	Phone	Term
James Hamilton <i>President</i>	2284 Pinnacle Court, 16506	875-3367 (w)	12/03
Sean Coleman <i>Vice President</i>	2804 Florida Avenue, 16504	455-8859 (h)	12/02
Rege O'Neill <i>Treasurer</i>	123 West 9 <sup>th</sup> Street, 16501	459-2929 (w)	12/03
Debra Smith <i>Secretary</i>	238 East 28 <sup>th</sup> Street, 16504	870-1274 (w)	12/04
Clifton Anderson	3401 Kane Hill, 16510	875-3158 (w)	12/02
Tom Antolik	1511 Peach Street, 16501	480-5959 (w)	12/03
Michael Butler	4718 Lake Pleasant Road, 16504	451-7040 (w)	12/04
Charles Faulkerson	3707 Guilford Dr, 16506	875-3061 (w)	12/02
Joseph Fries	6131 Red Pine Lane, 16506	866-3009 (h)	12/02
Paul D. Gambill	2303 Holland Street, 16503	455-3345 (h)	12/04
Charlotte Gavin	910 East 24 <sup>th</sup> Street, 16503	454-2617 (h)	12/03
Henry Howze	242½ East 23 <sup>rd</sup> Street, 16503	454-9541 (h)	12/02
William Jeffress	1202 State Street, 16501	454-4530 (w)	12/04
Cathy Lyons	1202 State Street, 16501	454-4530 (w)	12/04
Claudette McAdory	828 East 24 <sup>th</sup> Street, 16503	459-4128 (h)	12/04
Anthony Ross	1279 East 27 <sup>th</sup> Street, 16504	454-4906 (w)	12/03
John Williams	418 Dunn Blvd.-Up, 16507	452-1179 (h)	12/03

James C. Sherrod, Executive Director  
Booker T. Washington Center, 1720 Holland Street, Erie, Pennsylvania 16503, 814-453-5744

PENGAD 000-631-6888

EXHIBIT

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## BOOKER T. WASHINGTON CENTER

1720 Holland Street • Erie, Pennsylvania 16503  
Phone (814) 453-5744 • Fax (814) 453-5749

*SERVING THE ERIE COMMUNITY SINCE 1923*

September 24, 2002

James C. Sherrod  
917 East 33rd Street  
Erie, PA 16504

**Re: Termination of Employment**

Dear Mr. Sherrod:

This letter constitutes formal notice of the termination of your employment as the Executive Director of the Booker T. Washington Center. Your termination is effective immediately.

As you know, your employment with the Center was "at will." This is plainly stated in the letter setting forth the terms and conditions of your employment. Accordingly, either party could terminate the employment relationship between you and the Board, at any time and for any or no reason at all. In this particular instance, the Board has determined that this action is both necessary and appropriate.

We have explained that the Board felt that you did not treat a situation seriously enough, and did not immediately take reasonable steps to investigate the matter. We also expressed our displeasure with the fact that a number of the policies you relied upon to terminate the employees directly involved in the situation do not, in fact, exist. As we discussed, the creation and maintenance of these policies were your responsibility, and your failure to have established these policies was a failure on your part to perform an essential function of your job.

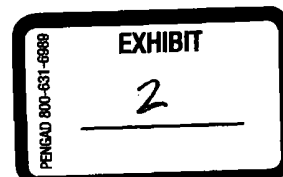
The Board deems this to be unsatisfactory job performance, as well as failure to perform your job within working hours, both of which are grounds for disciplinary action up to and including termination.

You will be paid for any accrued unused vacation time as well as any remaining time worked but not paid (if any), during the next payroll period. Your health care and other insurance coverages will cease, effective midnight, September 30, 2002. Under Pennsylvania law, however, you may have the right to convert these group policies to individual ones within 30 days of your termination. You should contact the respective insurance carriers for information on how to do this.

Very truly yours,

BOOKER T. WASHINGTON CENTER, INC.

By: Sean P. Coleman, Vice-President



EXECUTIVE MEETING REPORT

AUGUST 9, 2002 – 12PM

Submitted by Sean P. Coleman

Discussion was primarily focused on the August 6, 2002, incident involving the 8 year old female participant of the BWTC Summer Program. A verbal report was given on the current status of the situation and what the Board's response should be. Discussion included the transportation of children on an overcrowded vehicle, potential disciplinary action against the Executive Director, and the preparation of a press release, if necessary. Mr. Hamilton requested that I asked Mr. Sherrod to bring to the full board meeting on August 12, 2002, 1) The (youth) program's policies and procedures, 2) Dates and times the policies and procedures were reviewed with staff and 3) an incident report (third party if necessary).

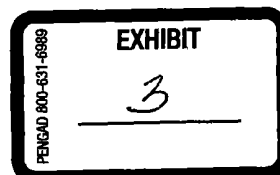
EXECUTIVE MEETING REPORT

AUGUST 13, 2002 – 12PM

Submitted by Sean P. Coleman

We discussed a possible severance package for Mr. Sherrod, which included 1 month's pay, continuation of health benefits for 90 days, and an agreement not to contest his unemployment. This package was based upon a discussion I had with Mr. Sherrod that night before. We talked briefly about defining the role of the Executive Director. I was to later speak with Mr. Bressetti concerning the financial status of the Agency. I suggested that we do an assessment on the Housing Program, however, due to more pressing issues, we will discuss this at a later date.

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## BTWC Incident Report

Tuesday, August 6, 2002

Submitted by Sean P. Coleman, Vice President BTWC Board of Directors,

## Narrative

The following account is what I believe to be true and accurate based on the interviews conducted concerning the incident that occurred involving Briana Hughes, an 8-year-old female participant of the BTWC Summer Recreation Program on 8-6-2002. The people interviewed were Valerie Hughes, Briana's mother, Catherine Hughes, Briana's grandmother, Renee Coates Smith, Youth Department Coordinator, Derek Johnson, Youth Department Assistant, Lester Howard, D & A Specialist, and Dasha Pacely, Youth Aide.

On Tuesday, August 6, 2002, the BTWC Youth Department transported approximately 19 children from its Summer Recreation Program on a supervised visit to see "Star Wars" at the Millcreek Cinema 6 movie theater. Staff present were Renee Coates Smith, Derek Johnson, Lester Howard, and Dasha Pacely. At the conclusion of the movie, the group gathered in the lobby area, before exiting the facility. Between the time of leaving the movie complex and loading the vans, there was no "head count" or other means for accounting for the children conducted. After loading the vehicles, the group stopped at Rita's Ice Cream Parlor for a treat. Again, no "head count" or other means of accounting for the children was conducted. After leaving Rita's Ice Cream Parlor, the group then arrived at BTWC at approximately 4:00 p.m. and the children were then dismissed. It wasn't until approximately 5:00 p.m. that any of the accompanying staff were informed that a child was missing from the group.

## Recount

I arrived home at approximately 10:30 p.m. August 8, 2002, at which time I had two messages to call Claudette McAdory and Paul Gambill, both BTWC Board Members concerning an incident involving a missing child. I then immediately call James Sherrod, BTWC Executive Director and inquired about what happened at the BTWC that day. James told me that 'we took some kids to the mall, one of the girls was missing, but they found her with her cousins.' At which time, I didn't think it was a major incident having assumed that the "they" he was referring to was our staff. I then told James that I would take care of it and ended the conversation. Afterwhich, I telephoned Paul and was unable to reach him initially. I then received a phone call from Claudette, whom shared her account of the story. Immediately after speaking with Claudette, I was contacted by Paul whom shared a very similar story as Claudette about a missing child. After speaking with Paul, I immediately called James back at approximately 10:45 p.m. and informed that the situation was "more serious" then he had thought. I then proceeded to relay the information I had obtained with him. I then said I would call the mother (Valerie Hughes). When asked by James how was I going to get in contact with her, I stated I would look in the phone book. However, I obtained Valerie Hughes' phone number from

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PENGAO 800-631-6988

the telephone directory (411). I can not recall if it was during this conversation or a later one, but I requested James meet me at the BTWC to talk to the staff members involved.

The following notes detail information I felt were important due to the fact I was hand writing notes as I was speaking to the interviewee, however, all staff interviews were tape recorded with the knowledge of the staff. Myself and James, Wednesday morning conducted staff interviews, August 7, 2002.

Note: Only one incident report was submitted by staff (by Anita Smith).

Interview #1 – Valerie Hughes (approx. 11:15 p.m., 8-6-2002)

- ✓ Briana told her that she had asked Dasha to go to the bathroom. She had to wait because it was a long line. When she returned from the bathroom the group had left.
- ✓ Asked movie attendant to use telephone and was instructed to a payphone.
- ✓ Left movie theater and began walking down Peach Street.
- ✓ Stopped at Dairy Queen and asked for a \_\_\_\_\_ of ice.
- ✓ Walked to relative's home on 22<sup>nd</sup>/23<sup>rd</sup> and Wallace/Ash.
- ✓ Stated Catherine arrived at BTWC at approx. 4:30 p.m. to pick up Briana.
- ✓ Was called by Catherine from BTWC and left work and arrived at BTWC at approx. 4:45 p.m.
- ✓ Shared earlier incident on or about July 5, 2002. Program was dismissed early. Parents were not contacted and Briana began to walk home (Buffalo Road).
- ✓ Renee \_\_\_\_\_ came to visit her at approx. 7:00 p.m.

Interview #2 – Catherine Hughes (approx. 11:30 p.m., 8-6-2002)

- ✓ Arrived at BTWC at approx. 4:20 p.m.
- ✓ Enter BTWC at approx. 4:45 p.m. and was told by some children Briana had left with her mom.
- ✓ Questioned Sonda concerning the field trip.
- ✓ Went back home after 5:00 p.m. at which time R.W. Hughes, Briana's grandfather went to the BTWC.
- ✓ Son's girlfriend, Kelly, called BTWC after 5:00 p.m. to inquire about Briana.
- ✓ After 5:00 p.m., received telephone call stating Briana was found

Interview #3 – Derek Johnson (approx. 8:47 a.m., 8-7-2002)

- ✓ Left for movies at approx. 12:15 – 12:20 p.m. on 8-6-2002.
- ✓ Movie started at 12:40 p.m.
- ✓ Purchased 22 tickets
- ✓ Stated Lester was in lobby
- ✓ Arrived at Rita's Ice Cream Parlor at approx. 3:45.
- ✓ Took his biological children home.
- ✓ Transported older children (12 years and older).
- ✓ Received telephone call from Renee. at approx. 6:30.

- ✓ Talked to Renee again about approx. 10:00 – 10:30 p.m.

Interview #4 – Lester Howard (approx. 9:08 a.m., 8-7-2002)

- ✓ Lined up children at approx. 12:30 p.m. to go to movies on 8-6-2002.
- ✓ Arrived in his personal vehicle at approx. 12:45 p.m.
- ✓ Stated he waited in the lobby of the movie complex during the viewing of the film.
- ✓ Stated he saw about 10 children go to the bathroom.
- ✓ Movie ended at approx. 3:15 p.m.
- ✓ Thought Renee & Derek did head count.
- ✓ Identified Briana at the end of the movie. Stated was one of the last children to come out of theater and had seen her next to the bathroom due to where children were gathered.
- ✓ Group was in parking lot after movie ended for approx. 5 – 10 minutes.
- ✓ Arrived at Rita's Ice Cream Parlor at approx. 3:30 p.m.
- ✓ Left Rita's Ice Cream Parlor at approx. 3:50 p.m.
- ✓ Went to other job.

Interview #5 – Renee Coates Smith (approx. 9:22 a.m., 8-7-2002)

- ✓ Drove blue van.
- ✓ Counted heads upon purchasing tickets for movie.
- ✓ Did not conduct "head count" after the movie ended.
- ✓ At Rita's Ice Cream Parlor, stated Derek sent children from the van he was driving to her van without informing her.
- ✓ Stated van was overcrowded.
- ✓ Received telephone call from Sonda and was informed child was missing.
- ✓ Received telephone call from WSEE at BTWC.
- ✓ Went to Valerie Hughes home.

Interview #6 – Dasha Pacely (approx. 9:53 a.m., 8-7-2002)

- ✓ Stated Briana asked to go to the bathroom during movie, not afterwards.
- ✓ At the end of the movie, believed all the children were present at the time.

August 16, 2002

James Hamilton  
2284 Pinnacle Court  
Erie, Pennsylvania 16506

Dear Mr. Hamilton:

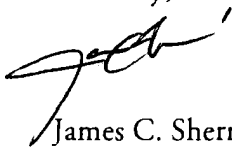
Per the Special Meeting of the Board of Directors held on Monday, August 12, 2002, at the Booker T. Washington Center, in which I was asked to resign my position as Executive Director of the Agency, please be advised that I have not submitted my resignation since that meeting.

Furthermore, let me affirm through this communication that I have not received any correspondence relative to why I was asked to vacate my office, turn in my Agency keys, or any other protocols for the action in which exist.

Lastly, be assured that the process and steps taken to phase me out of my position are not acceptable. The appointment of an Interim-Director (Anita Smith) versus appointing someone to be responsible for agency matters (which is what usually occurs when I'm away from the Agency) is definitely a harsh and suggestive move.

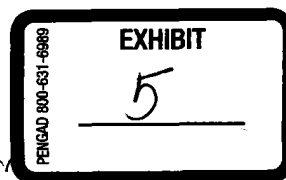
It is my hope that a more careful and observant process will be utilized whenever the Board of Directors issues or takes their next step in this situation, which has left me locked out.

Sincerely,



James C. Sherrod  
Executive Director

cc: BTWC Board of Directors



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In order to better serve the BTW community I am proposing to the Executive Committee that I be allowed to step down as Chair of the Management Committee and the BTW Board. This will enable me to assist in the facilitation of a smooth transition with its current Executive Director Mr. James Sherrod. I would act as a consultant to the board working as a part of a transitional team. The transitional team would be made up of interested board members, Mr. Sherrod, and myself.

Since this transition would require me to take personal time and vacation time from my current employment situation, I would request to be compensated approximately \$30/hour for my time.

In this role I would be allowed to work with Mr. Sherrod ensuring that proper policy and procedures are in place for all programs and that the day-to-day operations and decision are being made in the best interest of the BTWC. During this transition I would report to the board all activities

This proposal would give the board the opportunity to continue serving the community with its current needs, have a smooth transition regarding the leadership of the organization, and have ample time to recruit and orient its new leadership.

Letter from  
Mr. Jeffress to  
Board.

